

AMENDED IN ASSEMBLY APRIL 12, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2728

Introduced by Assembly Member Strickland

February 20, 2004

~~An act to add Chapter 5.5 (commencing with Section 47628) to Part 26.8 of the Education Code, relating to charter schools. An act relating to Pleasant Valley School District.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2728, as amended, Strickland. ~~Charter schools: authorization~~
Pleasant Valley School District: unification.

Existing law prescribes the procedure to reorganize school districts, including the filing of a petition with the county superintendent of schools by specified persons, that includes 25% of the registered voters residing in the territory proposed to be reorganized or a majority of the members of the governing boards of each district that would be affected by the proposed reorganization.

Existing law authorizes a county committee for certain petitions to transfer territory to approve the petition, and if approved, to notify the county superintendent of schools who is required to call an election in the territory for the districts as determined by the county committee.

This bill would, notwithstanding existing law pertaining to the reorganization of school districts, provide that only the electors of the City of Camarillo are eligible to vote on a proposition relating to the unification of schools in the City of Camarillo in 2005. The bill would make a declaration of special circumstances in that regard.

~~The existing Charter Schools Act of 1992 permits teachers, parents, pupils, and community members to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning.~~

~~This bill would, notwithstanding any other provision of law, authorize the chancellor of a campus of the University of California, the president of a campus of the California State University, or the governing board of a community college district to approve a petition submitted to establish a charter school within the county in which that campus or community college district is located.~~

~~The bill would require petitioners to designate an eligible local entity, as specified, to oversee the charter school, and would require petitioners to specify the oversight duties of that entity. The bill would require the authority approving the petition to make specified determinations regarding the designated oversight entity prior to approving the petition.~~

Vote: majority. Appropriation: no. Fiscal committee: yes no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Chapter 5.5 (commencing with Section 47628)~~
- 2 ~~SECTION 1. Notwithstanding any other provision of law, only~~
- 3 ~~electors who reside within the City of Camarillo are eligible to vote~~
- 4 ~~on a proposition submitted to the voters in 2005 relating to the~~
- 5 ~~unification of the Pleasant Valley School District.~~
- 6 ~~SEC. 2. The Legislature finds and declares that a special law~~
- 7 ~~is necessary and that a general law cannot be made applicable~~
- 8 ~~within the meaning of Section 16 of Article IV of the California~~
- 9 ~~Constitution because of the unique circumstances applicable to the~~
- 10 ~~electors of the City of Camarillo. The facts constituting the special~~
- 11 ~~circumstances are these:~~
- 12 ~~The Pleasant Valley School District in the City of Camarillo~~
- 13 ~~consists of elementary schools. The high schools in the City of~~
- 14 ~~Camarillo are governed by the Oxnard Unified High School~~
- 15 ~~District. The electors of the City of Camarillo should be allowed~~
- 16 ~~to vote to unify the elementary and high schools into one school~~
- 17 ~~district in the City of Camarillo.~~
- 18 ~~is added to Part 26.8 of the Education Code, to read:~~
- 19

CHAPTER 5.5.—~~ALTERNATIVE PETITIONING PROCESS~~

~~47628. Notwithstanding any other provision of law, a chancellor of a campus of the University of California, a president of a campus of the California State University, or the governing board of a community college district may approve a petition submitted to establish a charter school within the county in which that campus or community college district is located.~~

~~47628.2. (a) A petition submitted pursuant to this chapter shall designate an eligible local entity located within the county in which the charter school is located to supervise and oversee the charter school, and shall specify those oversight duties. Eligible entities include, but are not limited to, a chief executive officer of the University of California or California State University, a community college district, or a public agency.~~

~~(b) Prior to approving a petition submitted pursuant to this chapter, the approving authority shall determine that the local entity designated pursuant to this section is willing to fulfill the oversight duties described in the petition pursuant to subdivision (a), and has the appropriate resources and expertise to fulfill those duties.~~

~~47628.4. (a) A petition submitted pursuant to this chapter shall comply with the procedures and requirements contained in Chapter 2 (commencing with Section 47605) and Chapter 3 (commencing with Section 47610), except to the extent a particular procedure or requirement of those chapters is inconsistent with this chapter. For the purposes of this chapter, all references to “governing board” in Chapter 2 (commencing with Section 47605) and Chapter 3 (commencing with Section 47610) shall mean the approving authority identified in Section 47628, and all references to “school district” in those chapters shall mean the county in which that approving authority is located.~~

~~(b) Notwithstanding any other provision of law, the denial of a petition submitted to any approving authority may not be appealed.~~

~~47628.6. This chapter does not apply to a community college district, campus of the California State University or the University of California, unless the governing board of the district or the Regents of the University of California adopt a resolution making it applicable to their respective institution, or the president~~

- 1 ~~of a campus of the California State University officially adopts the~~
- 2 ~~applicability of this chapter.~~

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